

## UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

WHERCO, INC,

No. C 12-00699 LB

Plaintiff,

v.

CITIBANK N.A.,

**ORDER (1) DENYING WITHOUT  
PREJUDICE PLAINTIFF'S PETITION  
AND (2) RE: DISCOVERY  
PROCEDURES**

Defendant.

[Re: ECF No. 1]

On February 13, 2012, Plaintiff Wherco, Inc. filed a petition to compel Defendant Citibank, N.A. to comply with a subpoena *duces tecum* pursuant to 9 U.S.C. § 7. Petition, ECF No. 1. The petition was noticed for hearing on April 5, 2012. Notice, ECF No. 4.

Because Plaintiff's petition involves a discovery dispute, the Court **VACATES** the current April 5, 2012 hearing date and **DENIES** the pending petition without prejudice and directs the parties to comply with the procedures for addressing discovery disputes set forth in the undersigned's standing order (attached). Those procedures require, among other things, that if a meet-and-confer by other means does not resolve the parties' dispute, lead counsel for the parties must meet and confer **in person**. If that procedure does not resolve the disagreement, the parties must file a joint letter brief instead of a formal motion. The letter brief must be filed under the Civil Events category of "Motions and Related Filings > Motions – General > Discovery Letter Brief." After reviewing the joint letter, the Court will evaluate whether further proceedings are necessary, including any further briefing or argument.

**IT IS SO ORDERED.**

Dated: March 8, 2012



LAUREL BEELER  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
For the Northern District of California

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